

Stephen Bloch (#7813)
Southern Utah Wilderness Alliance
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Salt Lake City, UT 84111
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FILED

FEB 0 5 2013

**SECRETARY, BOARD OF
OIL, GAS & MINING**

*Attorney for Petitioners
Utah Chapter of the Sierra Club et al.*

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

<p>UTAH CHAPTER OF THE SIERRA CLUB, et al. Petitioners, v. DIVISION OF OIL, GAS, & MINING DEPARTMENT OF NATURAL RESOURCES, STATE OF UTAH Respondent, ALTON COAL DEVELOPMENT, LLC and KANE COUNTY, UTAH, Respondent/Intervenors.</p>	<p>MOTION TO ADMIT MICHAEL WALL <i>PRO HAC VICE</i> AND CONSENT BY STEPHEN BLOCH TO APPEAR AS ASSOCIATE COUNSEL ON BEHALF OF PETITIONERS UTAH CHAPTER OF THE SIERRA CLUB ET AL.</p> <p>Docket No. 2009-019 Cause No. C/025/005</p>
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Pursuant to Rule 14-806 of the Utah Code of Judicial Administration, Stephen Bloch, moves the Board of Oil, Gas & Mining ("Board") for an order admitting Michael Wall *pro hac vice* to act as counsel in the above-captioned matter on the following basis:

1. Mr. Wall will represent Petitioners Utah Chapter of the Sierra Club et al. ("Sierra Club") in this action.
2. Mr. Wall is an attorney with the San Francisco, CA office of the Natural Resources Defense Council. Mr. Wall's business address is:

Natural Resources Defense Council
111 Sutter Street, FL 20
San Francisco, CA, 94104
Tel.: (415) 875-6100
Fax.: (415) 875- 6161
E-Mail: mwall@nrdc.org

3. Mr. Wall is neither licensed to practice law in the State of Utah nor a resident of Utah. He is admitted to practice law and is in good standing in the State of California (CA 170238) as evidenced by the original Certificate of Good Standing and application submitted to the Utah State Bar. Mr. Wall has never caused delay or been disruptive and has not been disciplined in any other jurisdiction within the prior five years.

4. Mr. Wall has practiced law since his admission to the California Bar in 1994.

5. Mr. Wall is admitted to practice before the:

Supreme Court of the United States
US Court of Appeals for the Second Circuit
US Court of Appeals for the Fourth Circuit
US Court of Appeals for the Fifth Circuit
US Court of Appeals for the Seventh Circuit
US Court of Appeals for the Ninth Circuit
US Court of Appeals for the Tenth Circuit
US Court of Appeals for the Federal Circuit
US District Court, Central District of California
US District Court, Eastern District of California
US District Court, Northern District of California

6. As required by Rule 14-806, both a filing fee and Mr. Wall's original Application have been submitted to the Utah State Bar.

7. Stephen Bloch, as a member in good standing of the Utah State Bar, hereby consents to appear as associate counsel in this action. He agrees to abide by the Utah Rules of Civil Procedure, the Utah Rules of Evidence, the Utah Code of Judicial

Administration and the Rules of Practice and Procedure Before the Board of Oil, Gas and Mining and to readily communicate with opposing counsel and the Board regarding the conduct of this case. He also agrees to accept papers when served as well as recognizes the responsibility to act for and on behalf of the clients in all case-related proceedings, including hearings, pretrial conferences, and trials, should Mr. Wall fail to respond to any court order.

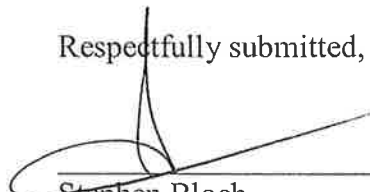
8. Mr. Wall has completed the requirements for admission *pro hac vice* as set forth in Utah Supreme Court Rules of Professional Practice Rule 14-806.

9. A proposed order admitting Michael Wall accompanies this motion.

WHEREFORE, premises considered, Petitioners Sierra Club et al. pray that Michael Wall be admitted to practice *pro hac vice* for all purposes relating to the case at bar.

Dated: January 31, 2013

Respectfully submitted,



Stephen Bloch
Southern Utah Wilderness Alliance

Attorney for Petitioners
Utah Chapter of the Sierra Club et al.

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

<p>UTAH CHAPTER OF THE SIERRA CLUB, et al. Petitioners, v. DIVISION OF OIL, GAS, & MINING DEPARTMENT OF NATURAL RESOURCES, STATE OF UTAH Respondent, AL TON COAL DEVELOPMENT, LLC and KANE COUNTY, UTAH, Respondent/Intervenors.</p>	<p>[PROPOSED] ORDER GRANTING MOTION TO ADMIT MICHAEL WALL <i>PRO HAC VICE</i> TO APPEAR AS ASSOCIATE COUNSEL ON BEHALF OF PETITIONERS UTAH CHAPTER OF THE SIERRA CLUB ET AL.</p> <p>Docket No. 2009-019 Cause No. C/025/005</p>
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ORDER

Based upon the Motion for Admission *Pro Hac Vice* of Michael Wall and the consent to appear as associate counsel by Stephen Bloch, it is hereby ordered that Michael Wall be admitted *pro hac vice* as counsel for Petitioners in the above-captioned matter.

DATED this _____ day of _____, 2013.

Board of Oil, Gas & Mining

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of February, 2013, I emailed a true and correct copy of the foregoing Motion and Proposed Order for Michael Wall to be Admitted *Pro Hac Vice* and Consent by Stephen Bloch to Appear as Associate Counsel on Behalf of Petitioner Utah Chapter of the Sierra Club to all parties of record in this proceeding and other interested counsel as follows:

Denise Dragoo, Esq. (ddragoo@swlaw.com)
James P. Allen, Esq. (jallen@swlaw.com)
Bennett E. Bayer, Esq. (bbayer@landsumshouse.com)
Attorneys for Alton Coal Development, LLC

Steven Alder, Esq. (stevealder@utah.gov)
Michael Johnson, Esq. (mikejohnson@utah.gov)
Assistant Attorneys General

Jim Scarth, Esq. (attorneyasst@kanab.net)
Kane County Attorney


Joya Sonnenfeldt



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Ray Quinney & Nebeker
Salt Lake City

Thomas W. Seiler
Robinson Seiler & Anderson
Provo

Angeline Tsu
Tsu Management Services
Corporation
Salt Lake City

ACKNOWLEDGEMENT OF SUPPORTING DOCUMENTATION AND RECEIPT OF PRO HAC VICE FILING FEE

Date Issued: February 1, 2013
Case Name: Utah Chapter of the Sierra Club, et al. vs. Division of Oil, et al.
Board of Oil, Gas and Mining Department of Natural Resources,
State of Utah
Case Number: 2009-019, C/025/005

This letter serves as an acknowledgement that the \$250.00 pro hac vice filing fee for **Michael Wall** in the above-referenced case has been paid to the Utah State Bar and that the required supporting documentation is complete and in good order. If you have any questions, please call the Bar at (801) 531-9077.

Rebecca Keller
Assistant to General Counsel

Note to Counsel: An original motion signed by a member of the Utah State Bar who expressly consents to appearing as associate counsel should be filed with the court along with: (1) copies of the Application and Certificate of Good Standing which were provided to the Bar; (2) this Acknowledgement of Supporting Documentation and Receipt of Pro Hac Vice Filing Fee; and (3) a proposed order.

APPLICATION FOR ADMISSION PRO HAC VICE

NOTE: This is a Court generated and approved form that cannot be altered in any manner or it will not be accepted. This form cannot be submitted electronically because it requires an original signature and notarization. You must fill it out and print it for signature and notary purposes.

Name:

Firm Name:

Address:

City, State, Zip:

Telephone / Fax:

E-mail (if any):

State(s) to Which Admitted	Bar Number
<input type="text" value="California"/>	<input type="text" value="170238"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

Case in which Applicant wishes to appear:

Case Name

Court

Case Number

Party on whose behalf Applicant seeks to appear

Other cases in any state or federal court in Utah in which the applicant or member of applicant's firm has appeared pro hac vice in the previous five years. (Attach additional sheets if necessary.)

Case Name	Case Number	Court
<input type="text" value="(see attached)"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Are you (the Applicant) currently suspended or disbarred from the practice of law in any state?

If yes, please explain:

Have you (the Applicant) been disciplined by any state's or court's bar organization in the prior five (5) years?

If yes, please explain:

Are you (the Applicant) the subject of any pending disciplinary proceedings by any state's or court's bar organization? ☐ no

Sponsoring Local Counsel: (must be a Utah resident)

Name:

Firm Name:

Utah Bar Number:

Address:

City, State, Zip:

Telephone / Fax:

E-mail (if any):

Applicant's Certification and Signature:

Applicant certifies the following:

- Applicant submits to the disciplinary authority and procedures of the Utah State Bar.
- Applicant is familiar with the rules of procedure and evidence, including applicable local rules.
- Applicant will be available for depositions, hearings and conferences.
- Applicant will comply with the rulings and orders of the court.
- All the information included in this application is accurate.

Applicant must attach to this application an original, current (issued within 60 days of the date of Application) Certificate of Good Standing from the licensing state in which the applicant resides. (Applicants may not reside in Utah.)

DATED this 30th day of JANUARY, 20 13.

Applicant's Signature: 

STATE OF CALIF.
COUNTY OF MARIN:ss

Signed and sworn to before me on the 30 day of JANUARY, 20 13
by MICHAEL E. WALL
(Name of Applicant)

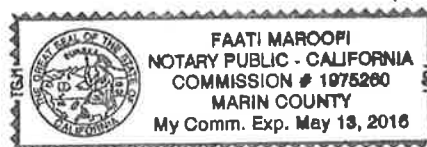
Notary Public

Residing at:

35 Miller Ave
Mill Valley CA 94941

My Commission Expires:

5/13/2016



Application for Admission Pro Hac Vice Attachment

Sharon Buccino of Washington, DC (DC Bar # 432073), who is also employed by Natural Resources Defense Council, appeared in the following cases:

Case Name	Case Number	Court
Southern Utah Wilderness Alliance et al. v. Marcilynn Burke et al.	12-cv-257	United States District Court for the District of Utah, Central Division
Southern Utah Wilderness Alliance et al. v. Juan Palma et al.	11-4094	United States Court of Appeals for the Tenth Circuit
Utah Chapter of the Sierra Club et al. v. Board of Oil, Gas and Mining et al.	2010-0969	Supreme Court of the State of Utah
Southern Utah Wilderness Alliance et al. v. U.S. Bureau of Land Management et al.	08-cv-0064	United States District Court for the District of Utah, Central Division
Southern Utah Wilderness Alliance et al. v. Sierra et al.	07-cv-0199	United States District Court for the District of Utah, Central Division



Supreme Court of California

FRANK A. McGUIRE

Court Administrator and Clerk of the Supreme Court

CERTIFICATE OF THE CLERK OF THE SUPREME COURT OF THE STATE OF CALIFORNIA

MICHAEL E. WALL

I, FRANK A. McGUIRE, Clerk of the Supreme Court of the State of California, do hereby certify that MICHAEL E. WALL, #170238, was on the 1st day of June 1994 duly admitted to practice as an attorney and counselor at law in all the courts of this state, and is now listed on the Roll of Attorneys as a member of the bar of this state in good standing.

*Witness my hand and the seal of the court
on the 22d day of January 2013.*

FRANK A. McGUIRE
Clerk of the Supreme Court

By: _____

A handwritten signature in cursive script, appearing to read "C. Cahoon", is written over a horizontal line.

C. Cahoon, Deputy Clerk